

**To:** Vaught, Laura[Vaught.Laura@epa.gov]  
**From:** Distefano, Nichole  
**Sent:** Thur 8/20/2015 10:55:32 PM  
**Subject:** FW: FYI: outstanding Congressional document requests : Upper Animas Mining District

Nichole Distefano

Deputy Associate Administrator

Office of Congressional and Intergovernmental Relations

Environmental Protection Agency

(202) 564-5200

[Distefano.Nichole@epa.gov](mailto:Distefano.Nichole@epa.gov)

**From:** Levine, Carolyn  
**Sent:** Thursday, August 20, 2015 6:34 PM  
**To:** Dolph, Becky  
**Cc:** Distefano, Nichole  
**Subject:** FYI: outstanding Congressional document requests : Upper Animas Mining District

Hi Becky,

This is just FYI re: the document requests we have so far to reconcile with FOIA requests:

**SEPW minority requests:**

1. Access agreement between EPA and the owner of the Gold King Mine (San Juan Corp./Todd Hennis); any other agreements with San Juan Corp. or the previous owner, Gold King Mines Corp., concerning the Gold King Mine
2. Confirm whether the work opening up Portal #7 at the Gold King Mine was part of the time-critical removal action at the Red & Bonita Mines, and was being done under the 9/24/14 TCRAM, whether there was a separate TCRAM for the Gold King; or whether EPA considered the work as part of the ongoing investigation of the Upper Animas Mining District site.
3. Contract between EPA R8 and Environmental Restoration LLC (April 2013, ERRS Contract EP-S8-13-02)
4. Cooperative Agreement between EPA R8 and State of Colorado Division of Reclamation and Mine Safety under which DRMS was participating in the response action at the Gold King Mine
5. 1996 Consent Decree between Sunnyside Gold Corp. and State of Colorado Water Quality Division concerning the Sunnyside Mine
6. NPL listing package for the Upper Animas Mining District
7. Documents listed in CERCLIS database under "Actions" for the Upper Animas Mining District Site:

- |    |                       |  |
|----|-----------------------|--|
| 1. | Discovery             | 1/24/96  |
| 2. | AOC                   | 5/6/96   |
| 3. | PA                    | 3/26/98  |
| 4. | SI                    | 7/22/99  |
| 5. | Expanded SI           | 7/22/99  |
| 6. | Lodged by DOJ         | 12/17/08                                       |
| 7. | AOC                   | 5/11/11  |
| 8. | Non-NPL PRP Search    | 11/10/11                                       |
| 9. | 104(e) Info. Requests | 1/16/13 (and responses to the 104(e) requests) |

8. Cooperative Agreement/Participating Agreement between EPA R8 and Animas River Stakeholder Group.

**House Energy and Commerce Committee majority:**

1. any photos or videos from the mine site taken at the time of the surge.
2. Risk assessment (or any related documents) for the Gold King mine;
3. Planning documents relating to the work done at the Gold King mine and any related investigation work at mines in the Upper Animus Mining District;
4. Engineering report for the Gold King mine (if not time-critical action) ;
5. Access agreement with owner of Gold King mine;
6. 1996 consent decree with predecessor of Kinross;
7. Contract with the contractor performing the work at the Gold King mine;
8. Action memo and enforcement appendix for the Gold King mine
9. Enforcement appendix Red and Bonita mine site removal action
10. If different than #9: Copy of the confidential enforcement addendum to the September 24, 2014, Action Memo:

Page 8: VII. Enforcement A separate Enforcement Addendum provides a confidential summary of current and potential future enforcement actions for the Site.

**11. EPA is doing an internal investigation, DOI is doing an investigation and EPA's IG is also doing an investigation of the spill. We would like to know what the scope of the investigations are for each entity. If there are any documents containing the questions that EPA is internally trying to answer, as well as any documents between EPA and DOI or EPA and the IG's office regarding scope of each investigation, we would appreciate those.**

-----  
*Carolyn Levine*

*Office of Congressional and Intergovernmental Relations*

*U.S. EPA*

*(202) 564-1859*

*levine.carolyn@epa.gov*